

2018 Child Care Background Check Updates

Changes will apply to all licensed child care centers, their
employees and contracted individuals



Background Check Changes beginning Fall 2018

- * DCF will conduct checks on all employees who will begin working in a licensed programs on or after 10/1/2018.
- * DCF will continue doing background checks on applicants for a license, current licensees and adult household members.
- * DCF will make a determination on whether the person is eligible to hold a license, reside or work in a child care center.
- * **DCF recommends that licensed centers continue to do annual name-based checks on employees hired prior to 10/1/18. DCF will notify centers when DCF will begin conducting the checks.**



Who needs a background check?

- * All applicants for a license
- * All persons age 10 and above who reside in a licensed child care program
- * All employees in a child care program
 - * Persons providing care and supervision
 - * Persons who do not have contact with children but are employees of the center
 - * Individuals contracted to provide services to a child care center including persons employed by a transportation service to transport children
- * Contractors who provide occasional services such as a plumber, electrician, delivery person are not required to have a background check, but they may not have unsupervised access to children.



Can a person begin working before the background check is completed?

- * A individual must have been found to be eligible to work before the person can begin working in a child care center. The first level of eligibility will be preliminary eligibility which is determined by a DCF review of the fingerprint-based background check reports.
- * Additional records will be checked before a final eligibility determination can be made.
- * The individual or a program may check the status of a person's background check through the provider portal. It is expected that preliminary eligibility should be determined within 7 days after the fingerprint scan has been submitted to the Department of Justice.



Who will pay for the background check?

- * At the time the appointment is made to do a fingerprint scan, the individual will pay \$37.75 via credit card or electronic check. This covers the cost of the fingerprint capture through Fieldprint (\$7.75) and the cost of the fingerprint background check (\$30.00)
- * The law does not address who pays for a background check. Individual center policies may address this question. DCF recommends discussing this with an attorney.



What records are checked as part of a background check?

- * These are the components that make up a background check
 - * At the time of the first background check and then every 5 years thereafter, a FBI fingerprint-based check
 - * Annually (in years when a fingerprint check is not done) a name-based Wisconsin Dept. of Justice check
 - * Every 5 years a check of the National Sex Offender Registry and annually, a check of the Wisconsin Sex Offender Registry
 - * A check of child abuse and neglect records
 - * A check of records from another state, if the individual is living or has lived in another state within the past 5 years



How will the new process work?

- * When a person applies for a license s/he will receive information from DCF on what is needed to begin the background check process.
- * When a program anticipates a new household resident, the licensee will notify the regional licensing office and will be provided instructions on next steps.
- * When a program has a new potential employee, the program will request a background check through the child care provider portal.



What is the difference between preliminary and final eligibility determination?

- * Preliminary eligibility is determined when the results of the fingerprint-based background check are received by DCF and reviewed to determine if there are any serious crimes or offenses that would limit a person's ability to reside or work in a child care program.
- * Final eligibility is determined when the results of all components of a background check have been reviewed, including any information received if the individual lived outside of Wisconsin within the last 5 years.



How long will it take to get a preliminary eligibility determination?

- * A fingerprint scan collected at a Fieldprint location will be submitted to the DOJ immediately with results returned to DCF usually within 48 – 72 hours.
- * Once the results of the fingerprint scan are received by DCF, DCF will review the FBI/DOJ results and determine preliminary eligibility.
- * Preliminary determinations should be available on the provider portal within 7 days after the fingerprint scan has been completed with the final determination completed within 45 days (barring unforeseen circumstances).



Is it possible that a person's may eligibility change?

- * It is possible that a person's eligibility to reside or work in a child care program may change based on information received
- * Preliminary eligibility is determined based on a review of the following items
 - * Records maintained by the FBI (initially and every 5 years thereafter)
 - * Records maintained by the WI Dept. of Justice (annually)
 - * Records reported by the WI Dept. of Health Services (annually)
- * Final Eligibility is determined based on a review of additional information obtained including
 - * A review of the National Sex Offender Registry (initially and every 5 years thereafter)
 - * A review of the Wisconsin Sex Offender Registry (annually)
 - * A review of child abuse and neglect findings (annually)
 - * A review of information obtained if the individual resided outside of Wisconsin within the last 5 years



Will a person be able to appeal an eligibility determination?

- * If the review of a person's background check results in a determination that the person is not eligible to reside or work in a child care program, the person will be informed of the right to appeal the eligibility determinations.
- * During the appeal process, the person is not eligible to reside or work in the child care program.



Who decides whether an individual may work at a center?

- * The background check eligibility determination made by DCF is based solely on the results of a background check. A person must be eligible to work based on a background check prior to the center making a hiring decision.
- * The center determines whether a person meets the center requirements for hiring. These requirements will include a DCF determination that the person is eligible for hiring based on the background check. Other considerations by the center could be the result of a reference check, determining whether the person has the necessary qualifications, and anything else the center requires.



What can a program do to get ready for the changes to the background check process?

- * Programs that do not have access to the child care provider portal should apply for access <https://dcf.wisconsin.gov/childcare/provider-portal/ccpp-access> and become familiar with the portal.
- * Programs are encouraged to look at their current hiring practices and determine whether changes will be required when the new process begins.



What can a program do to get ready for the changes to the background check process?

Information contained in a center's program profile on The Registry's website will be brought over to begin the database on child care employees. There are several things related to a program profile that can be completed to insure the most accurate information is brought over.

- * If you do not have a program profile, visit The Registry's website to set one up. <http://www.the-registry.org/ProgramProfile/Overview.aspx>
- * Insure that all staff who have a Registry account are listed in the program profile and that names, dates of birth and the last 5 digits of an individuals social security number are correct.



When will DCF take over doing background checks on employees hired before Oct 1, 2018?

- * DCF recommends that centers continue doing the annual name-based background checks on current employees (hired prior to 10/1/18) until notified by DCF that their program will transition to the new process.
- * Centers will be phased into the new process over time. DCF will be doing background checks on all employees no later than 10/1/2020.



Where can I go with questions?

- * The DCF Caregiver Background Unit currently processes background checks for licensees, household members and minor employees and can provide information on the new process. Contact the CBU at 608-422-7400 or DCFPLicBECRCBU@wisconsin.gov
- * Check out the DCF website on Background Checks for information on the new process as well as information on the current process.
<https://dcf.wisconsin.gov/cclicensing/cbc>

